

**CJA 20, APPOINTMENT OF AND AUTHORITY TO PAY
COURT-APPOINTED COUNSEL**

INTERIM PAYMENTS

If a ***financial hardship*** would result to counsel in an ***extended or complex case***, interim payments may be requested. Through CM/ECF, CJA counsel should file a *Motion for Interim Payments* using the event ***Motions / Interim Payment Order-CJA***.

If excess compensation is anticipated, counsel should simultaneously file a *Motion for Compensation Claim in Excess of the Statutory Case Compensation Maximum* using the event ***Motions / Exceed Case Maximum***. Please see the *Suggested Elements for a Motion for Compensation Claim in Excess of the Statutory Case Compensation Maximum in your CJA Reference Manual*, Section 4.b. See also LCrR 44.1(c).

If the *Motion for Interim Payment Order-CJA* is granted by the presiding district judge, the First Circuit must approved an interim payments Memorandum Order, which will outline the payment procedures and specifically address payment for services, actual expenses, and travel. Once the First Circuit has approved the Memorandum Order, a copy of that order will be provided to counsel.

The CJA attorney's copy of the CJA 20 appointment voucher is the payment voucher for all compensable fees and expenses. In cases in which interim payments have been allowed, the appointed attorney should make several copies of the initial signed voucher for future use since a copy of the original voucher will be required each time an interim voucher is submitted for processing and payment.

The court will review the interim vouchers when submitted, particularly with regard to the amount of time claimed, and will authorize compensation to be paid for 80 percent of the approved number of hours. This compensation will be determined by multiplying 80 percent of the approved number of hours by the applicable rate. Payment of all reimbursable expenses reasonably incurred will also be authorized.

At the conclusion of the representation, upon certification of the presiding judge and approval by the Chief Judge of First Circuit of the final voucher, the 20 percent balance withheld from all previously paid interim vouchers, as well as the payment amount authorized for the final interim period, will be disbursed to counsel. Note: On the final interim voucher, compensation will be paid at 100 percent, not 80 percent as was the case with all previously paid interim vouchers, plus reasonable expenses.

No interim CJA Form 20, "Appointment of and Authority to Pay Court-Appointed Counsel," should be filed with the district court until the Memorandum Order has been approved by the Chief Judge of the First Circuit or his/her designate and filed with the district court.